

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

FREIGHTQUOTE.COM, INC.,

Plaintiff,

v.

DENNIS GERSHMAN, individually and  
d/b/a PACIFIC ATLANTIC FREIGHT,

Defendant.

Civil Action No. 1:08-cv-00823

Judge St. Eve  
Magistrate Judge Nolan

---

**CONSENT JUDGMENT ORDER**

Plaintiff, Freightquote.com, Inc. ("Freightquote.com"), and Defendant, Dennis Gershman, individually and d/b/a Pacific Atlantic Freight ("Gershman"), hereby represent to the Court that they have entered into a Settlement Agreement ("Agreement") and have agreed to a compromise and settlement of this Civil Action and all claims, defenses and counterclaims that were or could have been brought in this Civil Action.

WHEREFORE, with the consent of the parties, through their undersigned attorneys, it is hereby ORDERED, ADJUDGED and DECREED that:

1. This Court has jurisdiction over the parties and subject matter of this action.
2. Freightquote.com provides freight shipping and management services through its Internet web site [www.freightquote.com](http://www.freightquote.com).
3. Gershman provides freight shipping and management services through the Internet web site [www.freightshippingcenter.com](http://www.freightshippingcenter.com) which can also be reached through a link from the web address [www-freight-quotes.com](http://www-freight-quotes.com).

4. Gershman expressly acknowledges and agrees, and the Court therefore finds, that Freightquote.com has valid, protectable, and enforceable common law and federal trademark rights in its "freightquote" and "freightquote.com" trademarks, including United States Trademark Registration Nos. 3,185,852, 3,185,806, and 2,369,546 (the "Freightquote Trademarks").

5. Gershman, and his representatives, agents, successors and assigns, and all persons or entities acting under Gershman's direction or control or in active concert or participation with him, shall permanently and immediately refrain from and cease advertising, promoting, selling, offering for sale, or engaging in any commercial dealings using the accused mark (www-freight-quotes.com) or from otherwise infringing upon the Freightquote Trademarks.

6. Gershman shall transfer to Freightquote.com all registrations, rights, title and interest in the domain name www-freight-quotes.com.

7. This action and all claims, defenses and counterclaims that were or could have been made by the parties relating to Freightquote Trademarks are hereby dismissed with prejudice.

8. Each party shall bear its own costs and attorneys' fees.

9. This Court retains jurisdiction over the parties for the purpose of enforcing the Agreement between them relating to this Civil Action, and any action relating to the enforcement of this Order.

10. This Judgment shall be deemed to have been served upon Gershman at the time of its entry by the Court.

/s/ Raymond P. Niro, Jr.

Raymond P. Niro, Jr.  
Dina M. Hayes  
NIRO, SCAVONE, HALLER & NIRO  
181 West Madison, Suite 4600  
Chicago, Illinois 60602 4515  
(312) 236 0733  
Fax: (312) 236 3137

Attorneys for Freightquote.com, Inc.

/s/ Donald E. Morris

*signed with permission*  
John W. Dozier, Jr.  
Donald E. Morris  
DOZIER INTERNET LAW, P.C.  
301 Concourse Blvd.  
West Shore III, Suite 300  
Glen Allen, Virginia 23059  
(804) 346-9770  
Fax: (804) 346-0800

Ronald L. Bell  
Ronald L. Bell & Associates, P.C.  
1275 Barclay Blvd., Suite 100  
Buffalo Grove, Illinois 60089  
(847) 495-6000  
Fax: (847) 495-6001

Attorneys for Dennis Gershman individually  
and d/b/a Pacific Atlantic Freight

**CERTIFICATE OF SERVICE**

I hereby certify that on June 30, 2008, I caused the foregoing CONSENT JUDGMENT ORDER to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

John W. Dozier, Jr.  
Donald E. Morris  
DOZIER INTERNET LAW, P.C.  
301 Concourse Blvd.  
West Shore III, Suite 300  
Glen Allen, Virginia 23059  
(804) 346-9770  
Fax: (804) 346-0800  
JWD: [angie@cybertriallawyer.com](mailto:angie@cybertriallawyer.com);  
DEM: [lisa@cybertriallawyer.com](mailto:lisa@cybertriallawyer.com)

Ronald L. Bell  
Ronald L. Bell & Associates, P.C.  
1275 Barclay Blvd., Suite 100  
Buffalo Grove, Illinois 60089  
(847) 495-6000  
Fax: (847) 495-6001  
[rlbelllawyer@aol.com](mailto:rlbelllawyer@aol.com)

\_\_\_\_\_  
/s/ Raymond P. Niro, Jr.  
Attorney for Plaintiff